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CJ PRODUCTS, LLC

NOTE: CHANGES MADE BY THE COURT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CJ PRODUCTS, LLC, a California
Limited Liability Company,

Plaintiff,

vs.

NARAS, LLC, a Illinois Limited Liability
Company; and Does 1-25, Inclusive,

Defendants.

Case No. CV 10-03020 GHK (RZx)
(Assigned to Hon. George H. King)

**[PROPOSED] ORDER FOR
ENTRY OF PRELIMINARY
INJUNCTION AGAINST
DEFENDANT NARAS, LLC**

The Court, pursuant to the Stipulation For Entry of Permanent Injunction, between Plaintiff CJ PRODUCTS, LLC ("Plaintiff") on the one hand, and Defendant NARAS, LLC ("Defendant"), on the other, hereby ORDERS the Entry of a Preliminary Injunction against Defendant as follows:

1 **1. PRELIMINARY INJUNCTION.** For a period of 90 days from the
 2 date of this Order, Defendant and any person or entity acting in concert with, or at
 3 the direction of it, including any and all agents, servants, employees, partners,
 4 assignees, distributors, suppliers, resellers and any others over which it may
 5 exercise control, are hereby restrained and enjoined, pursuant to 15 U.S.C. § 1116,
 6 from engaging in, directly or indirectly, or authorizing or assisting any third party
 7 to engage in, any of the following activities in the United States and throughout the
 8 world:

9 a. copying, manufacturing, importing, exporting, marketing, sale,
 10 offering for sale, distributing or dealing in any product or service that uses, or
 11 otherwise making any use of, any Plaintiff's trademarks registered under U.S. Reg.
 12 Nos. 3762061, 3762062, 77940244, 77919743, 77387634, and 77919764, and
 13 copyrights registered under Certificate of Registration numbers VA001674376,
 14 VA0001674366, VA0001674373, VA0001678146, VA0001674379,
 15 VA0001678132, VA0001674372, VA001674368, VA0001678130,
 16 VA0001674374, VA0001678138, VA0001674377, VA0001679223,
 17 VA0001678144, VA0001674371, VA0001678140, VA0001678142,
 18 VA0001674364, VA0001679221, VA0001674365, VA0001665417,
 19 VA0001665418, VA0001674375, VA0002674370, and/or any intellectual property
 20 that is confusingly or substantially similar to, or that constitutes a colorable
 21 imitation of, any of Plaintiff's registered trademarks and copyrights, whether such
 22 use is as, on, in or in connection with any trademark, service mark, trade name,
 23 logo, design, Internet use, website, domain name, metatags, advertising,
 24 promotions, solicitations, commercial exploitation, television, web-based or any
 25 other program, or any product or service, or otherwise;

26 b. performing or allowing others employed by or representing it,
 27 or under its control, to perform any act or thing which is likely to unlawfully
 28

1 injure Plaintiff, any Plaintiff's registered trademarks and copyrights, and/or
2 Plaintiff's business reputation or goodwill;

3 c. engaging in any acts of federal and/or state trademark and/or
4 copyright infringement, false designation of origin, unfair competition, dilution, or
5 other act which would tend to unlawfully damage or injure Plaintiff;

6 d. destroying, relocating, selling, or otherwise disposing of:

7 i) any items bearing Plaintiff's registered trademarks and
8 copyrights and/or any product that is confusingly or substantially similar to, or that
9 constitutes a colorable imitation of, any of Plaintiff's registered trademarks and
10 copyrights;

11 ii) any labels, packages, wrappers, containers or any other
12 unauthorized promotion or advertising material item which reproduces, copies,
13 counterfeits, imitates or bears any of Plaintiff's registered trademarks and
14 copyrights;

15 iii) any molds, screens, patterns, plates, negatives or other
16 elements used for making or manufacturing products bearing any of Plaintiff's
17 registered trademarks and copyrights; and

18 iv) customer journals, ledgers, invoices, purchase orders,
19 inventory control documents, and catalogs, reasonably believed to reflect or reveal
20 the manufacture, purchase, advertising, sale or offering for sale of any products
21 bearing Plaintiff's registered trademarks and copyrights.

22 2. **PERSERVATION OF EVIDENCE.** Defendant SHALL preserve
23 during the pendency of this action:

24 a. any items bearing Plaintiff's registered trademarks and
25 copyrights and/or any product that is confusingly or substantially similar to, or that
26 constitutes a colorable imitation of, any of Plaintiff's registered trademarks and
27 copyrights;

1 b. any labels, packages, wrappers, containers or any other
2 unauthorized promotion or advertising material item which reproduces, copies,
3 counterfeits, imitates or bears any of Plaintiff's registered trademarks and
4 copyrights;

5 c. any molds, screens, patterns, plates, negatives or other elements
6 used for making or manufacturing products bearing any of Plaintiff's registered
7 trademarks and copyrights; and

8 d. customer journals, ledgers, invoices, purchase orders, inventory
9 control documents, and catalogs, reasonably believed to reflect or reveal the
10 manufacture, purchase, advertising, sale or offering for sale of any products
11 bearing Plaintiff's registered trademarks and copyrights.

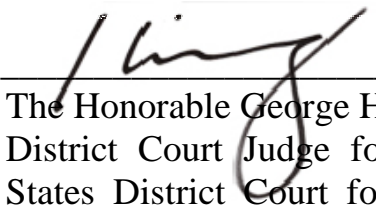
12 3. ~~The Court finds there is no just reason for delay in entering this~~
13 ~~Preliminary Injunction and, pursuant to Rule 65(a) & (b) of the Federal Rules of~~
14 ~~Civil Procedure~~, the Court directs immediate entry of this Preliminary Injunction
15 against Defendant Naras, LLC.

16 4. As agreed to by the Parties in their Stipulation for Entry of a
17 Preliminary Injunction, and due to the Parties' pending settlement discussions, the
18 Court finds good cause not to require Plaintiff to post a bond for the entry of this
19 Preliminary Injunction.

20 5. This Preliminary Injunction shall be deemed to have been served upon
21 Defendant at the time of its execution by the Court.

22 IT IS SO ORDERED.

23
24 DATE: 6/24/10


The Honorable George H. King,
District Court Judge for the United
States District Court for the Central
District of California